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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,023	12/02/2003	Ken Tanzillo	384.7854USU	2672

7590 01/19/2011  
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Stamford, CT 06901-2682

EXAMINER
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NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3684

MAIL DATE	DELIVERY MODE
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01/19/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/726,023	TANZILLO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nga B. Nguyen	3684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Office Action is the answer to the Amendment filed on October 25, 2010, which paper has been placed of record in the file.
2. Claims **1-3 and 25** are pending in this application.

### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1-3 and 25 have been considered but are moot in view of new grounds of rejection.
4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis, U.S. Patent Application Publication No. 2002/0065752.

Regarding to claim 1, Lewis discloses a system for assessing risk, comprising:

a processor (*figure 4, controller 105*); and

a medium that contains instruction that when read by said processor (*figure 4, Web Server 120*), cause said processor to provider functions of:

(a) a user interface to receive requests and customer account information to be stored in a portfolio in a first database (*figure 4, Thin Clients 140; paragraph [0068], the database is accessible through a web-enabled html, dhtml, or Java user interface*);

(b) a data integration component that matches a company in said portfolio to a unique corporate identifier, and provides access to at least a second database (*figure 27, see "Entity" includes: ABC (unique corporate identifier) and paragraph [0151], the web-server allows the on-line viewing of theses reports and statement, including searches for lines for a specific counterparty*); and

(c) a corporate linkage component that based on said unique corporate identifier, links said company to a related company (*figure 15, linking the accounts the counterparties ABN, AMRO, and CEDEL*); and

(d) a risk assessment manager that:

provide application functions, services and portfolio analysis based on said requests (*figure 14 and paragraph [0099], the matrix reflects portfolio consolidation across accounts*);

accesses said second database, via said data integration component, to obtain information about said related company (*figure 14 and paragraph [0099], the matrix reflects portfolio consolidation across accounts*); and

determines a total investment in accounts receivable for said company and said related companies, and a total risk exposure based on said portfolio (*paragraph [0013], The risk manager also seeks the firm's, or a counterparty's, total position and cash versus each counterparty and currency, integrated with current and complete details (i.e., "market data") of each financial instrument that is traded in customer portfolios or in the firm's inventory, to input into automated risk assessments*).

Regarding to claim 3, Lewis further discloses wherein said risk assessment manager comprises: a transfer component to import and export data to and from said first database (*paragraph [0067], an integrated computer system that consolidates data, derives information from this data, structures the data and information in a database that enables near real time information access, and distributes the data and information to users and software applications*).

Regarding to claim 25, Lewis further discloses wherein said information about said related company includes financial data presented in a first currency, wherein said medium also contains instructions that cause said processor to perform a function of a

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currency converter that converts said financial data presented in said first currency into financial data presented in a second currency, and wherein said risk assessment manager determines said total investment in accounts receivable in terms of said second currency (*paragraphs [0112] and [0138], Rule 3 instructs the Accounting Information Server to calculate and post the Base Currency Equivalent Book Value, based on the book value that was posted in rule 2).*

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U.S. Patent Application Publication No. 2002/0065752, in view of Tilton, U.S. Patent No. 6,654,727.

Regarding to claim 2, Lewis does not disclose wherein said risk assessment manager comprises: a scoring component that provides a risk score based on said portfolio. However, Tilton discloses wherein said risk assessment manager comprises: a scoring component that provides a risk score based on said portfolio (*column 10, lines*

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*18-20, a Moody's diversity score of at least 25*). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lewis's adopt the teaching of Tilton above, for the purpose of providing more efficiency in determining portfolio's risk.

### ***Conclusion***

9. Claims **1-3 and 25** are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Friday from 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(703) 273-8300 (for formal communication intended for entry),

or

(571) 273-6796 (for informal or draft communication, please label  
“PROPOSED” or “DRAFT”).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nga B. Nguyen/  
Primary Examiner, Art Unit 3684

January 3, 2011